



# Glasgow Commonwealth Games Act 2008

## 2008 asp 4

### *Ticket touting*

#### **17 Ban on ticket touting**

- (1) It is an offence to tout a Games ticket (“the touting offence”).
- (2) A person touts a Games ticket if the person does any act falling within subsection (3)—
  - (a) in a public place,
  - (b) in relation to the sale, or proposed sale, of a Games ticket for an amount exceeding the ticket's face value, or
  - (c) with a view to making a profit.
- (3) Acts which fall within this subsection are—
  - (a) selling a Games ticket,
  - (b) offering to sell a Games ticket,
  - (c) exposing a Games ticket for sale,
  - (d) advertising that a Games ticket is available for purchase,
  - (e) making a Games ticket available for sale by another person, and
  - (f) giving away (or offering to give away) a Games ticket on condition that the person given the ticket pays a booking fee or other charge or acquires some other goods or services.
- (4) The touting offence does not apply in relation to acts done—
  - (a) by the Organising Committee or the Commonwealth Games Federation, or
  - (b) in accordance with an authorisation given by the Organising Committee.
- (5) This section applies to acts done in or outwith Scotland.
- (6) The amount payable for a Games ticket is to be treated as including—
  - (a) the amount of any booking fee or other charge imposed as a condition of sale,
  - (b) the amount payable for any other goods or services which are to be acquired as a condition of sale, and
  - (c) the market value of any goods or services received in exchange for the ticket.

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*Changes to legislation: There are currently no known outstanding effects for the Glasgow Commonwealth Games Act 2008, Cross Heading: Ticket touting. (See end of Document for details)*

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- (7) The reference in subsection (2)(c) to making a profit is, where the act is done by a person other than the person disposing of the ticket, to be read as a reference to assisting the person disposing of the ticket to make a profit.

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**Commencement Information**

**I1** S. 17 in force at 29.11.2012 by S.S.I. 2012/261, art. 2, Sch.

**18 Exception for certain advertisers etc.**

A person (“A”) who advertises that a Games ticket is available for purchase from, or makes a ticket available for sale by, another person (“B”) does not commit a touting offence if—

- (a) the proposed ticket sale would constitute a touting offence only because B intends to—
  - (i) sell the ticket for an amount exceeding the ticket's face value, or
  - (ii) make a profit as a result of the sale, and
- (b) A does not, and could not reasonably be expected to, know B's intention.

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**Commencement Information**

**I2** S. 18 in force at 29.11.2012 by S.S.I. 2012/261, art. 2, Sch.

**19 Use of internet etc.**

Ministers may by regulations specify circumstances in which making facilities available in connection with electronic communications or the storage of data is, or is not, to be capable of constituting a touting offence.

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**Commencement Information**

**I3** S. 19 in force at 13.11.2009 by S.S.I. 2009/377, art. 2, Sch.

**20 Authorised ticket sales**

- (1) An authorisation given for the purposes of section 17(4)(b) may be subject to conditions imposed by the Organising Committee.
- (2) For example, an authorisation may be subject to conditions—
  - (a) requiring the authorised person to produce evidence of the authorisation to any enforcement officer or constable who requests it,
  - (b) which are—
    - (i) inconsistent with, or
    - (ii) more onerous than,
 the conditions of any other licence held by the authorised person.

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- (3) An authorisation must be given in writing (and an authorisation which is transmitted by electronic means is to be treated as being in writing if it is received in legible form and capable of being used for subsequent reference).
- (4) Ministers may by regulations provide that any fee charged by the Organising Committee in connection with an authorisation (or an application for authorisation) is not to exceed such amount as may be specified in, or determined in accordance with, the regulations.

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**Commencement Information**

- I4** S. 20(1)-(3) in force at 29.11.2012 by S.S.I. 2012/261, art. 2, **Sch.**
- I5** S. 20(4) in force at 13.11.2009 by S.S.I. 2009/377, art. 2, **Sch.**

**Changes to legislation:**

There are currently no known outstanding effects for the Glasgow Commonwealth Games Act 2008, Cross Heading: Ticket touting.